

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN FEDERATION OF
TEACHERS, AFL-CIO; UNITED
FEDERATION OF TEACHERS; SERVICE
EMPLOYEES INTERNATIONAL UNION,
AFL-CIO; SEIU HEALTHCARE
MINNESOTA & IOWA; SEIU
COMMITTEE OF INTERNS AND
RESIDENTS; UNITED FOOD AND
COMMERCIAL WORKERS
INTERNATIONAL UNION, AFL-CIO;
UFCW LOCAL 135; UFCW LOCAL 2013;
INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
WORKERS, AFL-CIO; IAM DISTRICT
160; AMERICAN FEDERATION OF
STATE, COUNTY & MUNICIPAL
EMPLOYEES, AFL-CIO; AFSCME
COUNCIL 31; UNITED NURSES
ASSOCIATIONS OF CALIFORNIA/UNION
OF HEALTH CARE PROFESSIONALS;
AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO
and AMERICAN FEDERATION OF
LABOR AND CONGRESS OF
INDUSTRIAL ORGANIZATIONS,

PLAINTIFFS,

v.

GREGORY GOLDSTEIN, in his official
capacity as Acting Director of the Federal
Mediation and Conciliation Service;
FEDERAL MEDIATION AND
CONCILIATION SERVICE; UNITED
STATES OF AMERICA; UNITED STATES
OFFICE OF MANAGEMENT AND
BUDGET; and RUSSELL T. VOUGHT, in
his official capacity as the Director of the
Office of Management and Budget,

DEFENDANTS.

Case No. 1:25-cv-03072-AS

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Before the Court is a Motion for Summary Judgment brought by Plaintiffs against Defendants Gregory Goldstein, in his official capacity as Acting Director of the Federal Mediation and Conciliation Service; Federal Mediation and Conciliation Service; United States of America; United States Office of Management and Budget; and Russell T. Vought, in his official capacity as the Director of the Office of Management and Budget (collectively, “Defendants”).

Having fully considered Plaintiffs’ Motion for Summary Judgment and accompanying memorandum of law, Defendants’ opposition, and all briefs, filings, evidence, arguments, and other materials presented in connection with the motion, the Court hereby **GRANTS** Plaintiffs’ motion for good cause shown. Under Federal Rule of Civil Procedure 56, Plaintiffs have shown that there is no genuine dispute as to any material fact and that Plaintiffs are entitled to judgment as a matter of law.

Accordingly, the Court hereby **ORDERS** as follows:

Defendants and their respective officers, agents, servants, employees, attorneys, and all other persons who are in active concert or participation with them, are hereby enjoined to take all necessary steps to restore the *status quo ante* at FMCS prior to March 14, 2025, including specifically:

- (1) Rescinding any policy or practice of only providing mediation services to disputes involving private-sector bargaining units of more than 1,000 members, or private-sector healthcare bargaining units of more than 250 members;
- (2) Rescinding all specific notices of a Reduction-in-Force (RIF) at FMCS and offering to return all affected FMCS employees to active duty status; and

- (3) Resuming mediation, training, and dispute-resolution services pursuant to FMCS's policies and practices in place prior to March 14, 2025. For the avoidance of doubt, this includes resuming all mediation, training, and dispute-resolution services that were being provided or were scheduled to be provided prior to the RIF notices issued on or around March 26, 2025, at the same level of service. It also requires providing mediation, training, and dispute-resolution services in all other cases where such services would have been provided under FMCS's policies and practices in place prior to March 14, 2025, at the same level of service; and
- (4) Providing all other statutorily required services; and
- (5) Taking all necessary steps to ensure that the affected FMCS employees described in paragraph (2) can fulfill the services described in paragraphs (3) and (4), including but not limited to, providing fully equipped office space or permission to work remotely with laptop computers that are enabled to connect securely to FMCS servers, emails, networks, and other digital infrastructure.

Defendants shall, within seven (7) days of this Order, file a report with the Court informing the Court of the status of their compliance with this Order, including documentation of all steps Defendants have taken to comply with this order.

IT IS SO ORDERED.

Dated: _____

Hon. Arun Subramanian
United States District Judge